

LAW OFFICES OF
GREENBERG GLUSKER FIELDS CLAMAN & MACHTINGER LLP

BERTRAM FIELDS
DIRECT DIAL NUMBER
(310) 201-7454

1900 AVENUE OF THE STARS
21ST FLOOR
LOS ANGELES, CALIFORNIA 90067-4590
TELEPHONE: (310) 553-3610

FAX
(310) 553-0687

E-MAIL ADDRESS
BFIELDS@GGFIRM.COM

OUR FILE NUMBER
16233-00003

January 28, 2011

VIA FACSIMILE AND U.S. MAIL

Knopf Publishing Group
Random House, Inc.
1745 Broadway,
New York, New York 10019-4305
Facsimile (212) 940-7307

Gentlemen:

I represent Tom Cruise. I am advised that you intend to publish a book by Lawrence Wright about Paul Haggis and the Church of Scientology.

Since the draft article Mr. Wright submitted to the New Yorker on the same subject contained a number of false and defamatory assertions about Mr. Cruise, I am concerned that Mr. Wright will seek to include such libelous assertions in his book and that you will publish them.

In the early versions of Mr. Wright's article he relied on the accusations of angry and bitter former Scientologists. I want to give you the clearest notice that these individuals are not a reliable source. In their patent hostility toward their former religion, each of them has made demonstrably false assertions.

In order to avoid litigation over the harm that Mr. Wright's false and defamatory assertions will cause Mr. Cruise, I would be glad to assist your fact checking process. If you will provide Mr. Wright's assertions about Mr. Cruise prior to publication, I will promptly advise you as to the truth or falsity of each such assertion, explaining, in each instance of a false assertion, the respects in which it is untrue.

I hope that you will adopt this reasonable and limited method of making sure that you have the true facts. If you will not, it will be evidence of a "reckless disregard" for the truth of Mr. Wright's assertions about Mr. Cruise.

Should you publish false and defamatory assertions about Mr. Cruise, he will, of course, take appropriate action. But, to avoid increasing the book's sales by a lawsuit, he

16233-00003/1763375.1

CONFIDENTIAL

TC000213

EXHIBIT 40

GREENBERG GLUSKER FIELDS
CLAMAN & MACHTINGER LLP
Knopf Publishing Group
January 28, 2011
Page 2

will file any action only after the book's initial sale period has expired. I hope it never comes to that. If you will allow me, I will work with you to that end.

Very truly yours,

BERTRAM FIELDS

BF/rjd

16233-00003/1763375.1

CONFIDENTIAL

TC000214

EXHIBIT 40